

Message Text

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ACTION DOE-15

INFO OCT-01 NEA-10 ISO-00 SOE-02 DOEE-00 AID-05 JUSE-00

ACDA-12 CIAE-00 INR-10 IO-13 L-03 NSAE-00 EB-08

NRC-05 OES-09 DODE-00 SS-15 SP-02 CEQ-01 NSCE-00

INRE-00 SSO-00 PM-05 /116 W

-----121645 281252Z /45

O 281226Z JUL 78

FM AMCONSUL BOMBAY

TO SECSTATE WASHED NIACT IMMEDIATE 8469

INFO AMEMBASSY NEW DELHI NIACT IMMEDIATE

LIMITED OFFICIAL USE BOMBAY 1871

FOR BASTIN, DEPARTMENT OF ENERGY

E.O. 11652 N/A

TAGS: MNUC, TECH, IN

SUBJ: TARAPUR REPACKING STUDY

REF: BOMBAY 1864

1. J.C. SHAH TELEPHONED AT COB TODAY TO SAY THAT HE HAS ASSURANCES FROM HIS LEGAL PEOPLE THAT THE AMENDING LANGUAGE SUGGESTED IN LAUB'S MEMORANDUM OF JULY 7 RELATING TO CLAUSE 9 OF THE RERACKING STUDY AGREEMENT IS ACCEPTABLE. HE SAID HE EXPECTS TO BE ABLE TO CONFIRM THIS INFORMATION BY LETTER ON JULY 31. HE ADDED THE HOPE THAT THE DOE WOULD BE ABLE TO FUND CHOPPER-CRUSHER NOT SO MUCH BECAUSE OF THE COST BUT BECAUSE OF COMPLICATIONS THAT WILL ARISE IF GOI HAS TO UNDERTAKE PROCUREMENT ITSELF. HE FEELS IT MIGHT NECESSITATE A SEPARATE LEGAL AGREEMENT AND WOULD CERTAINLY REQUIRE COMPETITIVE TENDERS. I TOLD HIM THAT WE ARE TRYING TO HAVE THIS COST INCLUDED IN THE DOE CONTRACT.

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2. BEARING IN MIND MY SECOND TELECON WITH BASTIN I TOLD SHAH I HOPED THAT GE HADNOT CHANGED ITS MIND SINCE LAUB MEMO WAS WRITTEN. I POINTED OUT THAT MEMO SEEMED TO BE INTERNAL GE DOCUMENT AND NOTED THAT I HAVE NOT SEEN A FORMAL CONFIRMATION. HE REPLIED THAT TIME IS SO SHORT THAT ANY REOPENING OF INDEMNITY LANGUAGE WOULD BE MAJOR SETBACK TO HOPES TO COMPLETING RERACKING IN ACCORDANCE WITH CURRENT,

TIGHT SCHEDULE.

3. I HOPE THAT IN VIEW OF THE INDIAN DEPARTMENT OF ATOMIC ENERGY'S ACCEPTANCE OF THE JULY 7 GE PROPOSAL THAT WASHINGTON AGENCIES CAN PERSUADE GE TO STICK WITH THEIR OWN LANGUAGE.
I DREAD REOPENING THE INDEMNITY CLAUSE IN ANY SUBSTANTIAL WAY.
SHAHSAID THAT MANY OF THE PEOPLE WHO SUFFERED THROUGH 1977 NEGOTIATIONS ON INDEMNITY HAVE BEEN TRANSFERRED AND HE HAD A FAIR MAOUNT OF DIFFICULTY IN GETTING AGREEMENT FROM THEIR SUCCESSORS ON SIMPLE EXTENSION PROPOSED ON THE JULY 7
GE MEMO.
COURTNEY

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NNN

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To: STATE

Type: TE

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Review Markings:

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